

Agricultural Marketing Service, Fruit and Vegetable Program

Fruit and Vegetable Industry Advisory Committee

CHARTER

1. Committee's Official Designation

Fruit and Vegetable Industry Advisory Committee (Committee)

2. Authority

Departmental Regulation 1042-19; the Secretary of Agriculture renews the Committee in accordance with provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. 2. The U.S. Department of Agriculture (USDA) reserves to itself all discretion required by FACA.

3. Objectives and Scope of Activities

The purpose of the Committee is to examine the full spectrum of fruit and vegetable issues and provide recommendations and ideas to the Secretary on how the U.S. Department of Agriculture (USDA) can tailor programs to better meet the needs of the U.S. produce industry. The Committee is in the public interest in view of the produce sector's importance to the nation's economy. The exchange of views and information between industry representatives and USDA should result in improved understanding of the impact of USDA programs on the industry and contribute to those programs' effective and efficient administration.

4. Description of Duties

The duties of Committee members are solely advisory. The Committee shall meet approximately two times per year to develop recommendations for the Secretary's consideration on how USDA's programs affect the fruit and vegetable industry.

5. Agency or Official to Whom the Committee Reports

The Committee reports to the Secretary of Agriculture through the Under Secretary for Marketing and Regulatory Programs.

6. Support

The Agricultural Marketing Service's (AMS) Fruit and Vegetable Program supports the Committee by arranging Committee meetings and preparing supporting documents.

7. Estimated Annual Operating Costs and Staff Years

Committee members serve without compensation but with reimbursement of travel expenses and per diem in lieu of subsistence. Annual operating costs are estimated at \$96,000. Annual Federal staff support is estimated at 0.35 staff years.

8. Designated Federal Officer

A permanent Federal employee is to be appointed in accordance with agency procedures and will serve as the Designated Federal Official (DFO). The DFO will approve the advisory committee's and subcommittees' meetings, prepare and approve all meeting agendas, attend all committee and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the official to whom the advisory committee reports.

9. Estimated Number and Frequency of Meetings

It is anticipated that the Committee will meet up to two times annually. All meetings are open to the public in accordance with the FACA regulations and guidelines

10. Duration

Continuing.

11. Termination

The Committee is subject to biennial review and will terminate two years from the date the charter is filed, unless, prior to that date, the Secretary renews the charter.

12. Membership and Designation

12a. This Committee will be fairly balanced in its membership in terms of the points of view represented and the functions to be performed. Steps will be taken to encourage fresh points of view, such as establishing staggered membership terms and limiting the number of renewed memberships.

12b. Equal opportunity practices in accordance with USDA's policies will be followed in all appointments to the Committee. To ensure that the recommendations of the Committee have taken in account the needs of the diverse groups served by USDA, membership shall include to the extent possible, individuals with demonstrated ability to represent minorities, women and person with disabilities.

12c. USDA prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability and, where applicable, sex, gender identity, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program.

12d. Members shall be appointed by the Secretary of Agriculture for a period of two-year terms. Up to 25 members shall represent: fruit and vegetable growers/shippers; fruit and vegetable wholesalers/receivers; brokers; retailers; fruit and vegetable processors and fresh-cut processors; foodservice suppliers; organic and non-organic farmers; farmers markets and community-supported agricultural organizations; state agriculture departments; and trade associations. No member shall serve more than six consecutive years on the Committee if it is renewed.

12e. Ethics Statement

All Committee members will receive ethics training to identify and avoid any actions that would cause the public to question the integrity of the Committee's advice and recommendations. Members who are appointed as "representatives" are not subject to Federal ethics laws because such appointment allows them to represent the point(s) of view of a particular group, business sector or segment of the public.

Members appointed as "Special Government Employees" (SGE) are considered to be intermittent Federal employees and are thus subject to Federal ethics laws. SGE's are appointed due to their personal knowledge, academic scholarship, background or expertise. No SGE may participate in any activity in which the member has a prohibited financial interest. Appointees who are SGE's are required to complete and submit a Confidential Financial Disclosure Report (OGE-450 form) and, upon request, USDA will assist SGE's in preparing these financial reports. To ensure the highest level of compliance with applicable ethical standards, USDA will provide ethics training to SGE's on an annual basis. The provisions of these paragraphs are not meant to exhaustively cover all Federal ethics laws and do not affect any other statutory or regulatory obligations to which advisory committee members are subject.

13. Subcommittees

USDA AMS has the authority to create subcommittees. Subcommittees must report back to the parent committee, and must not provide advice or work products directly to the Agency.

14. Recordkeeping

The records of this Committee, formally and informally established subcommittees, or other subgroups of the Committee, shall be handled in accordance with General Records Schedule 26, Item 2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552. Information about this Committee is available online at: www.ams.usda.gov/FruitandVegetableAdvisoryCommittee.

15. Filing Date

July 28, 2015